

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

**IN RE TRANSPACIFIC PASSENGER  
AIR TRANSPORTATION  
ANTITRUST LITIGATION**

Civil Case No. 3:07-cv-05634-CRB

MDL No. 1913

**This Document Relates To:**

**ALL ACTIONS**

**DECLARATION OF JOEL K. BOTZET IN  
SUPPORT OF PLAINTIFFS' NOTICE  
REGARDING TERTIARY DISTRIBUTION**

1 I, JOEL K. BOTZET, declares and states that:

2 1. I am a Director of Client Service for Rust Consulting, Inc. (“Rust”), the Court-  
3 appointed Settlement Administrator for the class action Settlements in this case, where Rust’s  
4 responsibilities include claims administration and settlement distribution. My business address is  
5 920 Second Avenue South, Suite 400, Minneapolis, Minnesota 55402. My business telephone  
6 number is 612-359-2035. I am authorized to make this declaration on behalf of Rust.

7 2. Rust has extensive experience in class action matters, having provided settlement  
8 administration services in class action lawsuits affecting millions of class members in cases  
9 involving antitrust, employment, consumers, banking and financial services, property, insurance,  
10 securities, and products liability, among its more than 9,000 projects.

11 3. Except as otherwise stated, I am fully familiar with and have personal knowledge  
12 of the matters stated in this declaration and am competent to testify about them if called upon to  
13 do so. I submit this declaration in support of Plaintiffs’ Notice Regarding Tertiary Distribution.

14 4. On June 27, 2025, Rust made the secondary distribution of remaining settlement  
15 funds of \$5,191,987.33 to settlement class members who cashed their initial distribution checks  
16 and who would receive a minimum payment of \$10 from the secondary distribution.

17 5. As part of this secondary distribution, Rust also reissued checks to four settlement  
18 class members who did not receive their initial distribution checks due to exceptional  
19 circumstances. These reissued checks included their *pro rata* share from the initial distribution  
20 and their *pro rata* share from the secondary distribution, if applicable. The secondary distribution  
21 checks expired on October 25, 2025, though Class Counsel instructed Rust to allow settlement  
22 class members to cash checks through November 30, 2025.

23 6. After the secondary distribution, the total amount of the remaining settlement  
24 funds available for the tertiary distribution is \$253,436.09.<sup>1</sup> Consistent with the secondary  
25 distribution, Rust will make the tertiary distribution of remaining settlement funds to settlement

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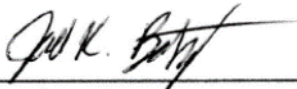
26 <sup>1</sup> This figure may slightly decrease as settlement class members cash checks through November  
27 30, 2025.

1 class members who cashed their secondary distribution checks and who would receive a minimum  
2 payment of \$10 from the tertiary distribution.

3 7. Rust anticipates making the tertiary distribution of remaining settlement funds in  
4 or around January 2026. Rust also anticipates that this will be the final distribution to settlement  
5 class members given that it is highly unlikely that further distributions will be economically  
6 feasible.

7 I declare under penalty of perjury under the laws of the United States that the foregoing is  
8 true and correct to the best of my knowledge.

9 Executed this 20 day of November, 2025 in Minneapolis, Minnesota.

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13 Joel K. Botzet  
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